

Fred Sullivan  
Chairman  
  
Janine L. Burke  
Executive Director



Scott Avedisian  
Mayor

**Warwick Sewer Authority**  
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## **BOARD MEETING MINUTES**

**Thursday, August 23, 2012, 5:30 p.m.**  
**Warwick Sewer Authority Conference Room**  
**125 Arthur W. Devine Boulevard**  
**Warwick, RI 02886**

<b>Board Members in attendance:</b>	<b>Guests:</b>
Fred Sullivan, Chairman	Dennis Setzko, P.E., AECOM
Aaron Guckian, Secretary	Erik Meserve, P.E., AECOM
Steven Sylven, P.E.	Paul Roberts, Homeowner Safety Valve Co.
Gary Jarvis	Frank Colantonio
Peter Ginaitt	Roy Dempsey
<b>Staff present:</b>	
Janine L. Burke, Executive Director	John Revens, Legal Counsel
Patrick Doyle, Superintendent	Mathew Solitro, Collection Systems Mgr.
Lynda Ortiz, Finance Customer Service Mgr	Lynn F. Owens, Administrative Coordinator

**1. Call to Order** At 5:34 p.m. Chairman Sullivan called the meeting to order.

### **2. Approval of Minutes**

a. Approval of minutes from the regular meeting held July 26, 2012.

ACTION: Mr. Sylven moved approval of the minutes as submitted. Mr. Guckian seconded the motion. Chairman Sullivan, Messrs. Guckian and Sylven voted in favor of the motion. Messrs. Jarvis and Ginaitt unavailable for vote. Motion passes.

### **3. Phosphorous Removal Project**

a. AECOM to submit progress report

Engineer Erik Meserve reported to the Board on the phosphorous removal project. He stated the borings were successful; only two drilled borings were needed. He said 30% design documents have been submitted and reviewed by WSA and the project remains on schedule.

#### **4. Flood Protection and Mitigation**

##### **a. Financial Report of Flood Expenses**

Director Burke stated we are continuing to see reimbursement money trickle in from FEMA. She reported that all the projects have been closed out at this point except the Hart Engineering work. She stated we expect the last invoice from Hart in September and then FEMA will be able to process that paperwork for reimbursement to the City.

##### **b. Flood Protection progress report**

AECOM engineer Dennis Setzko reported to the Board on the flood protection and mitigation project, of which the Board has the final report on preliminary design. He stated that report has been submitted to RIEMA for grant funding opportunities.

Director Burke stated there's a copy of the letter the Mayor wrote to RIEMA in the Board's Consent Agenda packet, appealing for project funding under the Hazard Mitigation Grant Program. She stated RIEMA is using that letter and AECOM's report and other documentation we have provided to appeal the matter on our behalf to FEMA.

Mr. Setzko stated in addition to that, over the past month we also requested an extension (at least 8 months) of the phosphorus project with RIDEM because of the need to first construct the levee project. He stated we have asked for a meeting with RIDEM to discuss this matter.

##### **c. Bellows Street Pumping Station**

###### **i. Crossman Engineering to submit progress report**

###### **ii. Award of Bid: Bellows Street Sanitary Pump Station Reconstruction, Contract No. 92 J. H. Lynch & Sons, Inc., \$1,459,191.50**

**ACTION:** The Board reviewed the extensive bid package and corresponding documents provided in their agenda packets. Director Burke stated at this time we are asking the Board to award the contract to the low bidder, J. H. Lynch & Sons, Inc., in the amount of \$1,459,191.50. She stated our consulting engineer, Crossman Engineering, Inc., is also recommending that Lynch be awarded the contract.

Mr. Sylven asked when a notice to proceed will be issued.

Director Burke said she had to provide the Economic Development Administration (EDA) with evidence that we have funding in place

to pay for the contract invoices while we are waiting to be reimbursed from the grant fund. She said once the EDA is satisfied with our funds certification and authorizes WSA to proceed, she will ask the Chairman to sign the contract with J. H. Lynch & Sons, Inc. and issue the Notice to Proceed.

Mr. Jarvis asked about the funding sources. Director Burke stated a preliminary listing of funding sources was provided in the agenda packets. She stated there may be more funds available through the Community Development Block Grants disaster relief grant that we can use for this project. She stated many City administrators are sympathetic to not touching our capital or other savings accounts for this project, especially since it is flood related. She said she will share the final numbers with the Board once commitments are finalized.

Mr. Sylven moved to award the contract to J. H. Lynch & Sons, Inc., in the amount of \$1,459,191.50, based on Crossman's recommendation, with the provision that the contract not be signed until WSA gets approval from EDA to sign the contract. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

## **5. Operation and Maintenance Division**

- a. Replacement of scum concentrator grinder unit located at WWTF  
New England Environmental: \$14,592.00

ACTION: Superintendent Doyle provided information about the equipment and its purpose at the treatment facility. Director Burke stated the cost will be charged to our capital fund.

Mr. Guckian moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

## **6. Collection Systems Division**

- a. Award of Bid #2013-42 Pumping Services to WSA Sites as Needed

ACTION: Director Burke provided a recommendation memo on this bid, which creates a call list of responsive septage haulers to be used for emergency pumping services on an as-needed basis. Haulers will be utilized starting with the lowest price and quickest response time. Recommended vendors include:

Dennis Diffley Drain Services  
Diffley & Daughters

Michael Perri & Sons  
Rhode Island Cesspool

Mathew Solitro stated WSA has used all vendors in the past during emergency situations and also utilizes their services at the treatment facility (i.e. grease removal).

Following Board review of the spreadsheet provided, Mr. Guckian moved approval of this award of bid to multiple vendors. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Guckian, Sylven and Jarvis voted in favor of the motion. Mr. Ginaitt unavailable for vote. Motion passes.

**b. Construction Services**

- i. Bayside IV/Longmeadow:  
Change Order No. 2, Asphalt and Diesel Fuel Adjustment,  
D'Ambra Construction Co., Inc., \$58,837.53

ACTION: Mr. Sylven expressed his opinion, as he has in the past, regarding asphalt and diesel fuel adjustments. He stated WSA doesn't have any control over the final cost of the project because of this contractual provision. He stated he knows the State allows for this fuel adjustment and that's why WSA is doing it, but he thinks it's a cost of doing business for the contractor.

Mr. Sylven asked if the price went down, would the contractor give WSA a credit. Mr. Solitro stated yes; but on past projects the price of asphalt and diesel fuel has not gone down. He stated any petroleum based product will vary in cost from the start of the job to the end of the job; it is a commodity we have no control over. Mr. Sylven stated if we didn't have enough money budgeted for the project, how would we pay for the increase in project cost due to this fuel escalator? He asked if in the request for funding does WSA account for the increase in asphalt.

Mr. Solitro stated there is a 15% contingency for extras built in to the engineer's estimates. He stated there have been no extras on this project; the contingency will provide for the fuel escalation. Mr. Sylven suggested WSA carry an allowance for an increase in asphalt and diesel fuel costs, looking to past projects to come up with an average. Director Burke stated she likes Mr. Sylven's idea and will look into it.

Mr. Jarvis said he agreed with Steve's thoughts; with these kinds of escalations, it's tough to manage the budget. Mr. Sylven also suggested having the contractor carry a certain price per ton. Director Burke stated this would be a better way to budget the project.

Director Burke stated these adjustments currently before the Board are provided for in the contract; the vendor is eligible for the adjustment. Mr. Sylven stated he understood the cost but he didn't agree with the principal; it should come out of the contractor's operating expenses.

Mr. Jarvis moved approval of the change order. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

**c. Engineering Services**

- i. Bayside I-III: Amendment to Contract with Gordon R. Archibald, Inc. Design Services for Bayside Sewers; \$421,088.00

ACTION: Held from July 26, 2012 meeting.

Director Burke stated per the Board's instructions at the last meeting, WSA staff is continuing to work on this matter. She stated we have provided some additional information on the various construction techniques that might be applied in this archaeologically sensitive area, including a comparison table. She said she did an extensive search for grants on both grants.com and a national foundation directory with no luck. Director Burke stated she had forwarded a map of the project area to National Grid and they are taking a look to see if the area falls into their gas main replacement plans. She stated she also recently checked with the Water Department to see if this area is in their plans as well.

Director Burke stated we have a little more time than originally thought to make a decision related to the extension of sewers to these areas. She stated unless an on-site system has failed or the home owner plans to add bedrooms to the house, the homeowner need not replace their functioning cesspool until planned sewers are constructed (no later than January 1, 2020). She stated WSA will need to have bond authorization in place by December 31, 2014. She said she understood RIDEM will be looking for a commitment to this project at some point in 2013 and will be writing to the Mayor and the City Council about it.

Chairman Sullivan asked that this matter be held for two more months. Item tabled to November 15<sup>th</sup>.

**7. Billing Services Division**

- a. Paul Roberts, Homeowner Safety Valve Company  
Update and Quarterly Revenue Share

Mr. Roberts provided the Board with a progress report on the success of the program, emergency repairs made over the last year, customer surveys returned and revenue share distributed.

Mr. Jarvis suggested putting the returned surveys on the WSA website.

**b. Sewer Assessment Abatement**

<b>Name</b>	<b>Service Address</b>	<b>Reason</b>	<b>Amount</b>
Francis and Delores Colantonio	49 Crystal Drive Plat 354 Lot 250	Property is a "corner" lot with all 170 feet of frontage located on Crystal Drive. Fair and equitable to assess on longest side	\$5,248.00

**ACTION:** Francis Colantonio, son of the property owners, present.

Following review of the facts, Mr. Ginaitt moved approval of the abatement. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

**8. Administrative Items**

**a. Director's Report**

- i. Financial Report: account balance sheet provided to the Board.
- ii. Administrative Schedule: no discussion.

**b. Chairman's Report**

- i. Changes to Enabling Legislation relative to Section 2.17 (b)  
Mandatory connection to sewers

**DISCUSSION/ACTION:** Chairman Sullivan asked that this item be held for one month for further research.

- ii. Phosphorous Removal Project: Deadline extension

**DISCUSSION/ACTION:** Chairman Sullivan asked that this item be held for one month for further research.

Chairman Sullivan asked for a listing of state owned property with sewer availability that are not connected, including any RIAC properties. He also asked for a listing of all city properties with sewer availability but not yet connected.

**c. Sewer Assessment Committee Report**

Mr. Jarvis stated research continues on proposed changes to our enabling legislation.

**d. Mandatory Sewer Connection Program/Connect Capable Fee**

DISCUSSION/ACTION: Chairman Sullivan stated this item will be held as it is part of the discussion on changes to our enabling legislation.

**9. Consent Agenda – Drainlayer Permit 2012 (New)**

**a. Allen Excavation, Inc., 2230 Ten Rod Road, Exeter (8-6-12)**

ACTION: Mr. Ginaitt moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

**10. Consent Agenda - Correspondence**

- a. Executive Order 2012-7: GIS Implementation Committee (7-19-12)**
- b. Appeal for funding of Flood Protection Measures (7-20-12)**
- c. WSA to RIDEM: Comments on Additional nutrient removal (7-24-12)**
- d. WSA to CRMC: MSCP June 2012 Quarterly Report (7-26-12)**
- e. WSA June 2012 Director's Monthly report (7-30-12)**
- f. WSA July 2012 Financial Report (8-1-12)**
- g. RIDEM to McCaffrey/McNamara regarding duckweed in pond (8-8-12)**

ACTION: Mr. Jarvis moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

**11. New Business**

Introduction of new business to be docketed for an upcoming meeting or to be referred to the executive director or legal counsel for comment.

No new business introduced.

**12. Old Business**

- a. WSA Assessment Deferment Policy**
- b. Amendments to By-Laws**
- c. Modifications to Septage Hauling Regulations**
- d. Infrastructure Improvement: 48" line under Interstate 95**

Chairman Sullivan asked for an update on this item. Director Burke stated Mat Solitro is working on bid specifications for the project. She said WSA has budgeted funds to complete the work between fiscal years 2013 and 2014. Chairman Sullivan asked that the line be inspected again using our camera to assess the integrity of the line. Director Burke assured the Board that the line is not at risk of collapsing. Superintendent Doyle

stated based on our engineer's assessment and recommendation, improvements are needed but it is not an emergency situation.

- e. IPP Local Limits Study
- f. WSA Resolution Supporting Revenue Bond Issuance for new sewer construction projects
- g. Future Project Planning

### **13. PUBLIC COMMENT PERIOD**

At 6:30 p.m. Chairman Sullivan opened the meeting to public comment.

Mr. Roy Dempsey, 4 Killdeer Road, Warwick, shared his comments with the Board.

### **14. Adjournment**

Mr. Jarvis moved to adjourn. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

At 6:38 p.m. this meeting ended.

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Aaron Guckian, WSA Secretary

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Date